

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SUMNER PLAINS 84, LLC, a Washington  
limited liability company,

Plaintiff,

v.

ANCHOR INSURANCE & SURETY, INC.,  
a foreign for-profit corporation,

Defendant.

No.: \_\_\_\_\_

NOTICE OF REMOVAL

TO: Clerk of Court

AND TO: Plaintiff Sumner Plains 84, LLC;

AND TO: Strasser Law and Resolution, Plaintiff's Attorney

Pursuant to 28 U.S.C. §1332, 1441, and 1446, Defendant Anchor Insurance & Surety, Inc. ("Defendant Anchor") removes to this Court the state court action described below. In support of this Notice, Anchor states as follows:

1. On March 5, 2018, Plaintiff Sumner Plains 84, LLC ("Plaintiff Sumner Plains") filed a Complaint against Defendant Anchor in Pierce County Superior Court, Case No. 18-2-06139-9.

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NO.: \_\_\_\_\_

PAGE 1

**BullivantHouserBailey PC**  
1700 Seventh Avenue, Suite 1810  
Seattle, Washington 98101-1397  
Telephone: 206.292.8930

2. Business Filings Incorporated, registered agent for Defendant Anchor, was served with the summons and complaint on March 23, 2018.

3. Under 28 U.S.C. § 1446(b), Defendant Anchor timely files this Notice of Removal within 30 days after service of the summons and complaint.

4. In its complaint, Plaintiff Sumner brings claims against Defendant Anchor for tortious interference.

5. Plaintiff Sumner alleges that it is entitled to damages in that Defendant Anchor “intentionally interfered with Plaintiff’s contractual relationship with [its] insurer by expressly refusing to notify the insurer of Plaintiff’s claim.”

**A. Jurisdiction**

6. The State Court Action may be removed to this Court under 28 U.S.C. § 1441(b) because there is complete diversity between the parties and, therefore, this Court has original jurisdiction under 28 U.S.C. § 1332(a).

7. Plaintiff Sumner is alleged to be a limited liability company organized under the laws of the State of Washington with its principal place of business in Auburn, King County, Washington and owner of the subject property located in Sumner, Pierce County, Washington. *Complaint*, ¶ 1.1.

8. Defendant Anchor is alleged to be a foreign for-profit company with its principal place of business in Oregon, authorized to do business in Pierce County, Washington. *Complaint*, ¶ 1.2.

9. In its Complaint, Plaintiff seeks damages in an amount to be proven at trial.

10. Upon information and belief, Plaintiff seeks damages in excess of 75,000, including special damages, general damages, exemplary damages, costs and attorney’s fees, and prejudgment interest on all liquidated damages. Because Plaintiff seeks to recover more than \$75,000, exclusive of interest and costs, its claims satisfy the amount-in-controversy requirement under 28 U.S.C. §1332(a).

1 **B. Venue**

2 13. Venue is proper in the United States District Court for the Western District of  
3 Washington because it is the district embracing the place where the State Court Action is  
4 pending. *See* 28 U.S.C. §1441(a); *Polizzi v. Cowles Magazines, Inc.*, 345 U.S. 663, 666, 73  
5 S. Ct. 900, 97 L. Ed. 1331 (1953).

6 **C. Intradistrict Assignment**

7 14. Assignment is proper to the Tacoma Division because Plaintiff Sumner's  
8 claims against Defendant Anchor arose in Pierce County, Washington.

9 **D. Procedure After Removal**

10 15. Pursuant to 28 U.S.C. §1446(a), true and correct copies of the process,  
11 pleadings, and orders, as well as additional records and proceedings in the State Court Action  
12 are attached to this Notice of Removal.

13 16. Pursuant to 28 U.S.C. §1446(d), Defendant Anchor has filed a Notice to  
14 Plaintiff and State Court Clerk of Removal to the U.S. District Court, in Pierce County  
15 Superior Court, which attaches this Notice of Removal.

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1 17. By filing this Notice, Defendant Anchor does not waive and expressly reserves  
2 all rights, defenses, or objections of any nature that it may have to Plaintiff Sumner's claims.  
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4 DATED: April 3, 2018

5 BULLIVANT HOUSER BAILEY PC  
6

7 By /s/ E.Pennock Gheen

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12 By /s/ Evelyn E. Winters

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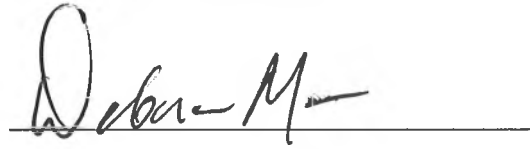
17 Attorneys for Defendant Anchor, Inc.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 3, 2018, I electronically filed the foregoing with the Clerk of the Court using the e-filing system which will send notification of such filing to the persons listed below:

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